

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JOSHUA E. WILLIAMS,)	
Plaintiff,)	
)	
v.)	CASE NO. 3:20-cv-00196-JD-MGG
)	
WILLIAM J. REDMAN, SHERIFF,)	
Defendant.)	

MOTION FOR SUMMARY JUDGMENT

Defendant, Sheriff William Redman, by counsel, and pursuant to Fed. R. Civ. P. 56 and N.D. Ind. L.R. 56-1, files his Motion for Summary Judgment, and in support, states as follows:

1. On February 4, 2021, Plaintiff filed his Amended Complaint.
2. On May 12, 2021, the Court entered its Opinion and Order, and within it the Court granted Plaintiff leave to proceed against Defendant Redman in his official capacity for monetary damages under three claims.
 - a. First, that the St. Joseph County Jail's policy did not allow an inmate to participate in Friday prayer or have access to prayer beads, prayer rugs or kufis, as required by the Islamic faith in violation of the First Amendment.
 - b. Second, that the St. Joseph County Jail's policy did not allow an inmate to participate in Friday prayer or have access to prayer beads, prayer rugs or kufis, as required by the Islamic faith in violation of the Religious Land Use and Institutionalized Persons Act.
 - c. Third, that the St. Joseph County Jail's policy did not allow inmates to purchase their own books in violation of the First Amendment.
3. The undisputed facts demonstrate the following:

- a. Plaintiff is unable to designate any policy, procedure or custom that disallowed Plaintiff from participating in Friday prayer, or have access to prayer rugs or kufis.
- b. Plaintiff is unable to designate any policy, procedure or custom that disallowed Plaintiff from purchasing his own books.
- c. Defendant's basis for not having a Jumu'ah service is a compelling governmental interest, reasonably related to legitimate penological interests and which was the least restrictive means available.

4. Defendant files contemporaneously herewith a Memorandum of Law in Support of the Motion for Summary Judgment, as well as a Statement of the Material Facts to support the Motion, and incorporates both herein.

5. Based on the foregoing, Defendant is entitled to judgment as a matter of law.

WHEREFORE, Defendant, by counsel, respectfully requests the Court grant Defendant judgment as a matter of law, and for all other just and proper relief.

Respectfully submitted,

s/ Stephanie L. Nemeth

Stephanie L. Nemeth (#25721-71)

Peter J. Agostino (#10765-71)

ANDERSON AGOSTINO & KELLER, P.C.

131 South Taylor Street

South Bend, IN 46601

Telephone: (574) 288-1510

Facsimile: (574) 288-1650

Email: nemeth@aaklaw.com

agostino@aaklaw.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 8th day of April, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I hereby further certify that I have mailed the foregoing by United States Postal Service, First Class Mail, postage prepaid on this same date, to the following non-CM/ECF participants:

Joshua E. Williams #18075-027
FCI Pekin
PO Box 5000
Pekin, IL 61555

s/ Stephanie L. Nemeth
Stephanie L. Nemeth (#25721-71)